

### **REMARKS/ARGUMENTS**

Claims 23-52 are pending in the present application, with claims 23, 40, 46, 49 and 51 being independent.

The Examiner has rejected pending claims 23-26, 29-41, 43-47 and 49-52 under 35 U.S.C. §103(a) as being obvious over US Patent Publication No. 2002/0144153 ("LeVine") in view of US Patent No. 6,870,887 ("Kauffman").

Additionally, the Examiner has rejected pending claims 27 and 28 under 35 U.S.C. §103(a) as being obvious over LeVine in view of Kauffman and US Patent Publication No. 2003/0155413 ("Kovesdi").

Finally, the Examiner has rejected pending claims 42 and 48 under 35 U.S.C. §103(a) as being obvious over LeVine in view of Kauffman and US Patent Publication No. 2001/0020981 ("Jun").

Applicant has herein amended claims 23, 24, 27, 28, 30 - 32, 38 - 42, 44, 46, and 49 - 51 and cancelled claims 29 and 52. For at least the reasons stated herein, Applicant asserts that the claims as presented are patentable over the cited prior art and are therefore in condition for allowance.

### **Request for Continuing Examination**

This Amendment and Response is being filed with a Request for Continuing Examination (RCE).

### **Claim Rejections under 35 U.S.C. § 103(a)**

The Examiner has rejected pending claims 23-26, 29-41, 43-47 and 49-52 under 35 U.S.C. §103(a) as being obvious over US Patent Publication No. 2002/0144153 ("LeVine") in view of US Patent No. 6,870,887 ("Kauffman").

With respect to claim 23, LeVine does not contemplate claim 23, element 2, as amended "at least one globally unique voice message ID created by said client-processing device proximate to the capture of said media data and associated with said media data by said client-processing device, wherein said client-processing device is configured to provide said at least one globally

unique voice message ID to a user of said client-processing device, wherein said at least one globally unique voice message ID comprises a machine unique identifier combined with a locally unique identifier” for at least two reasons.

First, Levine does not contemplate claim 23, element 2 “. . . client-processing device is configured to provide said at least one globally unique voice message ID to a user of said client-processing device.” Levine describes a system whereby the “blocking protective entity provides a remote server with a system ID 197, using the methods described in Figs 29 and 30, or extracts hidden system ID using the methods described in FIGS. 29 and 30.” LeVine, Paragraph 0206. “With reference to FIG. 29, the identifying data or watermark as created in FIG. 28 is inserted into the archive of the desired digital content product. . . . Note that the remote case is inherently more secure but either case provides an archive with hidden identifying or watermark data which is hidden and inserted as described in FIG. 31 as in FIGS. 3-8. The identifying watermark data is encrypted and interleaved and hidden in the archive 169.” LeVine, Paragraph 0198. Respectfully, the “hidden system ID” contemplated by LeVine is not Applicant’s “. . . client-processing device is configured to provide said at least one globally unique voice message ID to a user of said client-processing device.”

Second, Levine does not contemplate claim 23, element 2 “. . . globally unique voice message ID comprises a machine unique identifier combined with a locally unique identifier.” Levine describes a method where the “system’s component makeup to be analyzed and examined, and a unique identifying value is generated that represents the examined totality of the system 164. Each of the system’s components are examined 165 as desired and selected aspects of each component’s properties are considered in producing a unique identifying value for the system 166.” Paragraph 0196. Levine describes the use of unique identifying value as part of downloading process, and is therefore, respectfully, not a “globally unique voice message ID.”

LeVine does not contemplate claim 23, element 3, as amended “wherein said user of client-processing device is presented with said at least one globally unique voice message ID to place within a context.” LeVine describes a system to prevent the theft, distribution, and piracy of digital content. As discussed above, LeVine contemplates a system in which the system ID is hidden from the user. Paragraph 0206. Furthermore, LeVine does not describe a system whereby a user “is presented with said at least one globally unique voice message ID to place

within a context.”

As such, LeVine does not comprise the limitations of Applicant's independent claim 23, and, as such, does not teach, suggest, or disclose Applicant's independent claim 23. Claims 24 – 39 are dependent upon claim 23, and are therefore respectfully novel over Levine.

Levine respectfully likewise does not comprise the limitations of Applicant's independent claims 40, 46, 49, and 51 for the same reasons listed above with respect to Applicant's claim 23. Claims 41 – 45 are dependent upon claim 40, claims 47 – 48 are dependent upon claim 46, and claim 50 is dependent upon claim 49.

In addition, with respect to claims 46 and 49, Levine does not contemplate claim 46, element 2, as amended “wherein said client-processing device is configured to provide said at least one globally unique voice message ID to document for use by said user via a text editing program.” As described above, LeVine contemplates a system in which the system ID is hidden from the user. Paragraph 0206. Respectfully, a hidden system ID is not “. . . said client-processing . . . to provide said at least one globally unique voice message ID to document for use by said user via a text editing program.” Levine likewise does not comprise the limitations of Applicant's claim 49 for the same reasons listed above. Claims 47 – 48 are dependent upon claim 46, and claim 50 is dependent upon claim 49.

### **Summary**

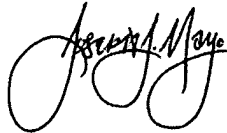
Applicant further respectfully submits that Levine, neither alone nor in combination with Kaufman, Kovesdi, or Jun teaches, suggests or discloses Independent Claims 23, 40, 46, 49 and 51.

Claims 24 – 39 are dependent upon claim 23, and are therefore respectfully novel over Levine. Claims 41 – 45 are dependent upon claim 40, claims 47 – 48 are dependent upon claim 46, and claim 50 is dependent upon claim 49.

### **Conclusion**

Claims 23 – 52 are pending in the present applicant. Applicant has cancelled claims 29 and 52. Claims 23, 40, 46, 49, and 51 are independent claims. Applicant asserts that the claims as presented herein are patentable over the cited prior art for at least the reasons stated herein and are therefore in condition for allowance. Applicant respectfully requests a timely Notice of Allowance for the claims in this case.

Respectfully submitted,  
Dalina Law Group, P.C.

A handwritten signature in black ink, appearing to read "Joseph J. Mayo", written in a cursive style.

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